

## **BILL ANALYSIS**

H.B. 3046  
By: Hill  
Local Government Ways & Means  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The bill brings mailing deadlines and tax freeze qualifications in line with current Tax Code requirements (Sections 1, 5, and 6); brings use requirements for agricultural and timber equipment in line with other Tax Code exemption requirements and recent court cases; makes non-substantive changes to delete and reenact duplicate Tax Code sections (Sections 2, 8,9,and 10); and defines “reappraisal” and establishes a transparent process for reappraisal plans (Sections 3 and 7).

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1: Amends Section 1.08 to allow taxpayer mail transmittals (as evidenced by the post office cancellation mark) of property tax payments, exemption applications, and other required submissions to be made on or before the due date as with personal delivery.

SECTION 2: Re-enacts Section 1.085(b), as amended by Chapters 984 and 1173, Acts of the 78th Legislature, Regular Session, relating to agreements between a chief appraiser and a property owner.

SECTION 3: Requires appraisal districts to develop a biennial written reappraisal plan and hold a public hearing to consider the plan. No later than September 15 of each even-numbered year, the appraisal district board would have to finally approve the reappraisal plan and distribute copies to the taxing units and the Comptroller within 60 days of board approval.

SECTION 4: Amends Section 11.161 to allow all machinery and equipment used in the production of farm ranch, or timber products to be exempt from property taxation.

SECTION 5: Amends Section 11.26, concerning the limitation on school taxes for persons who are age 65 or older or who are disabled, to permit a surviving spouse that became 55 in the year in which the other spouse died to receive the school property tax limitation (rather than be 55 at the time of the spouse's death).

SECTION 6: Amends Section 11.261, concerning the local option limitation on county, municipal, and junior college taxes for persons who are age 65 or older or who are disabled, to permit a surviving spouse that became 55 in the year in which the other spouse died to receive the limitation (rather than be 55 at the time of the spouse's death).

SECTION 7: Amends Section 25.18 to define "reappraisal activities" to include identification of properties and other specific matters that are listed by the International Association of Assessing Officers. A reappraisal cycle would include real and person property; and a reappraisal plan would provide that property be physically inspected or identified.

SECTION 8: Re-enacts Section 25.19(b) and deletes a duplicative Subsection (b)(5).

SECTION 9: Re-enacts one of two existing subsections in Section 312.204 to eliminate duplicative language.

SECTION 10: Repeals Sections 1.085(e) and (f), as added by Chapter 984, Acts of the 78th Legislature, Regular Session, to conform with the re-enactment of Section 1.085(b).

SECTION 11: Effective date: September 1, 2005, except for the exemption of implements of husbandry, which would take effect for the 2006 tax year.

**EFFECTIVE DATE**

September 1, 2005, except for the exemption of implements of husbandry, which would take effect for the 2006 tax year.